UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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NICK GIOULES,   :

                     :

          Plaintiff,   :   21-CV-6400 (JPC)

                     :

        -v-   :   NOTICE OF INITIAL

                     :   PRETRIAL CONFERENCE

ANTIGUA PHARMACY LLC and BRENDALIS   :
ANTIGUA,   :

                     :

          Defendants.   :

                     :
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JOHN P. CRONAN, United States District Judge:

This case has been assigned to the undersigned for all purposes. **All parties must familiarize themselves with the Court's Individual Rules, including the Court's Individual Rules and Practices for *Pro Se* Litigants (that is, litigants without counsel), which are available at https://www.nysd.uscourts.gov/hon-john-p-cronan.** All parties are hereby ORDERED to appear before the undersigned for an Initial Pretrial Conference ("IPTC") in accordance with Rule 16 of the Federal Rules of Civil Procedure on September 28, 2021 at 11:00 a.m. Any party that is proceeding in this case *pro se* is required to appear at this conference. In light of the ongoing COVID-19 pandemic, the Court will conduct the IPTC by teleconference. At the scheduled time, counsel for all parties should call (866) 434-5269, access code 9176261. The Court will discuss Defendants' motion to dismiss, Dkt. 8, at the September 28 IPTC.

Counsel and the *pro se* litigant are directed to confer with each other prior to the conference regarding settlement and each of the other subjects to be considered at the IPTC. No later than seven days prior to the IPTC, it is further ORDERED that counsel and the *pro se* litigants each submit a letter, not to exceed five (5) pages, addressing the following in separate paragraphs:

(1)   A brief statement of the nature of the action and the principal defenses thereto;

(2)   A brief explanation of why jurisdiction and venue lie in this Court. In any action in which subject matter jurisdiction is founded on diversity of citizenship pursuant to Title 28, United States Code, Section 1332, the letter must explain the basis for the parties' belief that diversity of citizenship exists. Where any party is a corporation, the letter shall state both the place of incorporation and the principal place of business. In cases where any party is a partnership, limited partnership, limited liability company, or trust, the letter shall state the citizenship of each of the entity's members, shareholders, partners, and/or trustees. *See, e.g.*, *Handelsman v. Bedford Vill. Assocs. L.P.*, 213 F.3d 48 (2d Cir. 2000);

(3)   A brief description of all outstanding motions and/or all outstanding requests to file motions;

(4)   A brief description of any discovery that has already taken place, and that which will be necessary for the parties to engage in meaningful settlement negotiations;

(5)   A list of all prior settlement discussions, including the date, the parties involved, and the approximate duration of such discussions, if any;

(6)   The estimated length of trial; and

(7)   Any other information that the parties believe may assist this Court in resolving the action.

Pursuant to the Court's Individual Rules and Practices for *Pro Se* Litigants, all communications with the Court by a *pro se* party—including the aforementioned letter—should be mailed to the *Pro Se* Intake Unit, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, Room 200, New York, New York 10007, or emailed to Temporary_Pro_Se_Filing@nysd.uscourts.gov. No documents or court filings should be sent directly to Chambers. Copies of correspondence between a *pro se* party and counsel shall not be sent to the Court.

If this case has been settled or otherwise terminated, the parties are not required to submit such letters or to appear, provided that a stipulation of discontinuance, voluntary dismissal, or other proof of termination is filed on the docket prior to the joint letter submission deadline, using the appropriate ECF Filing Event. *See* SDNY ECF Rules & Instructions §§ 13.17-13.19, *available at* http://nysd.uscourts.gov/ecf_filing.php. In accordance with the Court's Individual Rules and Practices for Civil Cases, requests for extensions or adjournment made by counsel may be made

only by letter-motion filed on ECF and must be received at least 48 hours (*i.e.*, two business days) before the deadline or scheduled appearance, absent compelling circumstances. Requests for an extension or an adjournment made by a *pro se* party may be made by letter. The written submission must state (1) the original date(s) set for the appearance or deadline(s) and the new date(s) requested; (2) the reason(s) for the request; (3) the number of previous requests for adjournment or extension; (4) whether these previous requests were granted or denied; and (5) whether the adversary consents, and, if not, the reasons given by the adversary for refusing to consent.

 Pro se parties should take note that there is a *Pro Se* Law Clinic in this District which is designed to assist non-incarcerated people who are parties in civil cases and do not have lawyers. The Clinic may be able to provide a non-incarcerated *pro se* litigant with advice in connection with his or her case. The *Pro Se* Law Clinic is run by a private organization called the New York Legal Assistance Group; it is not part of, or run by, the Court (and, among other things, therefore cannot accept filings on behalf of the Court, which must still be made by any unrepresented party through the *Pro Se* Intake Unit, whose address is above). To make an appointment with the *Pro Se* Law Clinic, please complete the clinic's intake form, available at https://www.nysd.uscourts.gov/attorney/legal-assistance, or call (212) 659-6190 and leave a message, including your telephone number.

 The counsel who first enters a notice of appearance is directed (1) to notify counsel for all other parties in this action who have not yet appeared by serving upon each of them a copy of this Order forthwith, and (2) to file proof of such notice with the Court. If unaware of the identity of counsel for any of the parties, counsel shall send a copy of this Order to that party personally.

 SO ORDERED.

Dated: August 19, 2021
  New York, New York

              JOHN P. CRONAN
            United States District Judge